

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

IN RE: TRICOR DIRECT PURCHASER
ANTITRUST LITIGATION

C.A. No. 05-340 (KAJ)

THIS DOCUMENT RELATES TO:
ALL ACTIONS

Hon. Kent Jordan, U.S.D.J.

C.A. No. 05-340 (Louisiana Wholesale)
C.A. No. 05-351 (Rochester Drug)
C.A. No. 05-358 (Meijer, Inc., et al.)

HIGHLY CONFIDENTIAL --
FILED UNDER SEAL
PURSUANT TO COURT ORDER

FURTHER DECLARATION OF JEFFREY S. GODDESS, ESQ.

JEFFREY S. GODDESS, ESQ. does hereby declare the following:

1. I am a partner in the firm of Rosenthal, Monhait & Goddess, P.A., counsel for plaintiffs in this matter. I submit this Declaration in conjunction with Direct Purchaser Class Plaintiffs' Reply Brief In Support of Their Motion for Class Certification.

- 2 Attached hereto as Exhibit "M" is a true and correct copy of Plaintiffs' letter to the Court dated March 2, 2006.

3. Attached hereto as Exhibit "N" is a true and correct copy of the transcript of the Deposition of Edward F. Sherry, in two consecutively-paginated volumes, dated September 13 and 14, 2006.

4. Attached hereto as Exhibit "O" is a true and correct copy of the transcript of the Deposition of Timothy John Ackerman, dated August 3, 2006.

5. Attached hereto as Exhibit "P" is a true and correct copy of the transcript of the Deposition of Robert Navarro, dated September 26, 2006.

6. Attached hereto as Exhibit "Q" is a true and correct copy of an excerpt from the transcript of the Deposition of Joseph E. Fiske from the action entitled *In re Terazosin Hydrochloride*, dated July 27, 2000.

7. Attached hereto as Exhibit "R" is a true and correct copy of an exhibit, marked as Sherry-15 for identification during the deposition of Edward F. Sherry.

8. Attached hereto as Exhibit "S" is a true and correct copy of an article from the Journal of Research in Pharmaceutical Economics entitled "The Costs of the U.S. Health Care System of Extending Marketing Exclusivity for Taxol," which is a fair and accurate representation of the exhibit marked as Sherry-7 for identification during the deposition of Edward F. Sherry.

9. Attached hereto as Exhibit "T" is a true and correct copy of Chapter 6 of a treatise entitled "Proving Antitrust Damages: Legal and Economic Issues," published in 1996 by the American Bar Association.

10. Attached hereto as Exhibit "U" is a true and correct copy of a document stamped Fournier-AT 134087-117, which was marked as Exhibit 9 during the April 21, 2006 deposition of Joseph Fiske, which transcript is appended as Exhibit "A" to my May 8, 2006 Declaration.

11. Attached hereto as Exhibit "V" is a true and correct copy of a document stamped Abbott-Tricor 0005151-5215, which was marked as Sherry-25 for identification during the deposition of Edward F. Sherry.

12. Attached hereto as Exhibit "W" is a true and correct copy of a document stamped IMPAX258165-168.

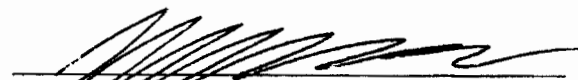
13. Attached hereto as Exhibit "X" is a true and correct copy of Abbott's "Memorandum in Support of Abbott Laboratories' Motion for Permission to Use Documents Covered by a

Protective Order,” filed in *Albertson's, Inc. v. Abbott Laboratories*, No. 94-CV-3669 (N.D. Ill. June 12, 2006).

12. Attached hereto as Exhibit “Y” is a true and correct copy of a document stamped Abbott-Tricor 157647-652, which was marked as Sherry-6 for identification during the deposition of Edward F. Sherry.

13. Attached hereto as Exhibit “Z” is a true and correct copy of a document stamped Abbott-Tricor 296885-886.

I am signing this Declaration under penalty of perjury.


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